

City of Round Rock  
Special Called and Regular City Council Meeting  
October 22, 2009

---

The Round Rock City Council met in Regular Session on Thursday, October 22, 2009, in the City Council Chamber, 221 E. Main Street.

[CALL WORK SESSION TO ORDER - 5:30 P.M.](#)

Mayor McGraw called the meeting to order at 5:40 p.m.

[ROLL CALL](#)

Those members present were Mayor Alan McGraw, Mayor Pro-tem Joe Clifford, Councilmember Rufus Honeycutt, Councilmember George White, Councilmember Carlos Salinas, and Councilmember Kris Whitfield. Also present were City Manager Jim Nuse, Assistant City Manager/CFO David Kautz, and Assistant City Manager Cindy Demers. Councilmember John Moman was absent from this meeting.

[PRESENTATIONS:](#)

[3A. Consider a presentation and discussion regarding the Intermodal Transit and Parking Facility.](#)

Tom Word, Chief of Public Works Operations made a brief introduction regarding the project and then introduced Tommy Kosarek from BGK Architects. Mr. Kosarek reviewed the project location and scope and then went into detail about the size and design of the parking garage and answered questions posed by the Council.

[ADJOURNMENT](#)

There being no further business, the work session adjourned at 6:40 p.m.

[CALL REGULAR SESSION TO ORDER - 7:00 P.M.](#)

Mayor McGraw called the regular session to order at 7:05 p.m.

[ROLL CALL](#)

Those members present were Mayor Alan McGraw, Mayor Pro-tem Joe Clifford, Councilmember Rufus Honeycutt, Councilmember George White, Councilmember Carlos Salinas, and Councilmember Kris Whitfield. Also present were City Manager Jim Nuse, Assistant City Manager/CFO David Kautz, and Assistant City Manager Cindy Demers. Councilmember John Moman was absent from this meeting.

[PLEDGE OF ALLEGIANCE:](#)

Mayor McGraw led the following Pledges of Allegiance:

- 3A. United States Flag
- 3B. Texas State Flag

[CITIZEN COMMUNICATION](#)

Carol Canuelle, 767 Bentwood Place, Round Rock spoke to the Council regarding a new civic organization being charted in Round Rock called the Heart of the Rock Civitan and invited the Council to attend their charting ceremony on October 30th, 2009 at Bella Notte on Main.

Rusty Boles, 20 Chisholm Trail, Round Rock spoke to the Council regarding the Downtown Master Plan. He reported from the private sector that they like the end results of the plan, but has some concerns regarding getting there.

PROCLAMATION:

[5A. Consider proclaiming November 2009 as "Pancreatic Cancer Awareness Month" in Round Rock.](#)

Mayor McGraw read the following proclamation and presented it to Janie Mock:

WHEREAS more than 42,000 people will be diagnosed with pancreatic cancer this year in the United States and more than 35,000 will die from the disease; and

WHEREAS pancreatic cancer is the deadliest cancer and the fourth leading cause of cancer death in the United States; and

WHEREAS approximately 2,120 deaths will occur in the State of Texas; and

WHEREAS there is no cure for pancreatic cancer and there have been no significant improvements in early detection, treatment methods, or survival rates in the last 30 years; and

WHEREAS 76 percent of pancreatic cancer patients die within the first year of their diagnosis and 95 percent of pancreatic cancer patients die within the first five years; and

WHEREAS when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis; and

WHEREAS incidence of pancreatic cancer is approximately 50 percent higher among African Americans than in other ethnic groups; and

WHEREAS the good health and well-being of the residents of Round Rock are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; and

WHEREAS the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Round Rock and nationwide by focusing efforts on public policy, research funding, patient services, and public education related to developing effective treatments and a cure for pancreatic cancer;

NOW, THEREFORE I, ALAN MCGRAW, Mayor of the City of Round Rock, Texas, do hereby proclaim the month of November 2009 as

“Pancreatic Cancer Awareness Month”

in Round Rock, Texas, and urge our community to continue the commitment to finding a cure and show support to patients battling pancreatic cancer and loved ones of those who have lost their lives to the disease.

[CONSENT AGENDA: All items listed with an asterisk \(\\*\) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.](#)

MOTION: Councilmember Salinas moved to approve the consent agenda. Councilmember Honeycutt seconded the motion.

VOTE:        Ayes:        Councilmember Honeycutt

Councilmember White  
Councilmember Salinas  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw

Nays: None  
Absent: Councilmember Moman

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

\*7A. Consider approval of the City Council minutes for the October 8, 2009 Special Called Meeting and Regular Meeting. This item was approved under the consent agenda.

Mayor McGraw went out of the regular order of the agenda with the unanimous consent of the Council and considered the following item:

11F1. Consider a resolution in support of a convergent technology center being located in proximity to Texas A&M Health Science Center, Texas State University, and Austin Community College.

Jim Nuse, City Manager made the presentation for this item and briefly went over the idea and purpose behind the convergent technology center. Mr. John Avery also provided input on the project and how the City has a unique opportunity to possibly change the world of medicine in the state. This facility would be an accelerator and not an incubator with one company all ready to move to Round Rock for their stage 2 trials of a promising cancer treatment.

MOTION: Councilmember White moved to approve the resolution. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Councilmember White  
Councilmember Salinas  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw  
Nays: None  
Absent: Councilmember Moman

ACTION: The motion carried unanimously.

Mayor McGraw resumed the agenda in its regular order.

PRESENTATIONS:

8A1. Consider presentation regarding the 2009 Local Legend Awards.

Jerry Hodges, Chairman of the Historic Preservation Commission, presented the 2009 Local Legend Awards. He went over the criteria to receive the award. There are four recipients to the award this year. Mr. Hodges gave a brief synopsis of each family and then presented them with their awards.

The recipients of the 2009 Local Legends were the following:

- ❖ The Nelson Family, accepted by John Nelson
- ❖ The Avery Family, accepted by Charles Avery
- ❖ Mr. Earl Palmer
- ❖ Rose Marie "Posie" McClung

Mr. Hodges then thanked the entire selection committee and presented a perpetual plaque to the Council which contains all Local Legend Award winners since 1990.

[8B1. Consider a presentation regarding the City's financial status.](#)

Cheryl Delaney, Finance Director made the staff presentation and covered the current sales tax numbers as well as the end of year financial numbers for the 2008-2009 fiscal year.

[8C1. Consider a presentation regarding the Downtown Master Plan Process.](#)

Will Hampton, Communications Director made the presentation on this item and gave a brief update on the status on the plan.

PUBLIC HEARINGS:

[9A1. Consider public testimony regarding the City's participation in the Texas Enterprise Zone program and nominating Dresser, Inc. as a qualified enterprise project.](#)

David Kautz, Assistant City Manager/CFO made the staff presentation. He covered some history and statistics regarding the company and then went over the Texas Enterprise Zone program and how it works. Charlie Ayres also proved some information regarding Dresser Wayne which is the company that staff is asking the Council to nominate for the state program.

Mayor McGraw opened the public hearing.

There being no testimony, the public hearing was closed.

ORDINANCES:

[10A1. Consider an ordinance establishing the City's participation in the Texas Enterprise Zone Program and nominating Dresser, Inc. as a qualified enterprise project. \(First Reading\)](#)

David Kautz made the staff presentation for this item during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS ESTABLISHING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2302, TEXAS GOVERNMENT CODE; DESCRIBING AVAILABILITY OF CERTAIN LOCAL INCENTIVES; DESIGNATING A LIAISON; NOMINATING DRESSER, INC. AS A QUALIFIED ENTERPRISE PROJECT THROUGH NOTICE TO THE TEXAS ECONOMIC DEVELOPMENT BANK; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Councilmember White moved to approve the ordinance. Councilmember Whitfield seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Salinas  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Moman

ACTION: The motion carried unanimously.

MOTION: Mayor Pro-tem Clifford moved to dispense with the second reading of the ordinance with the unanimous consent of the Council and adopt the ordinance. Councilmember Salinas seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Salinas  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Moman

ACTION: The motion carried unanimously.

[10B1. Consider an ordinance adopting the Community Development Block Grant budget for fiscal year 2009-2010. \(First Reading\)\(Requires Two Readings\)](#)

Jim Stendebach, Planning and Community Development Director made the staff presentation. He briefly went over what items are covered in the budget for the 2009-2010 fiscal year.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING A BUDGET FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE 2009-2010 FISCAL YEAR.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Mayor Pro-tem Clifford seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Salinas  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Moman

ACTION: The motion carried unanimously.

[\\*10C1. Consider an ordinance adopting the FY 2009-2010 Forest Creek Golf Course Fund Budget. \(Second Reading\)](#) This item was considered under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING A BUDGET FOR THE FOREST CREEK GOLF COURSE FOR FISCAL YEAR 2009-

2010.

\*10C2. Consider an ordinance adopting the FY 2009-2010 Tree Replacement Fund Budget.

(Second Reading) This item was considered under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING THE BUDGET FOR THE TREE FUND FOR THE 2009-2010 FISCAL YEAR.

\*10C3. Consider an ordinance adopting the FY 2009-2010 Self-Funded Health Insurance Fund

Budget. (Second Reading) This item was considered under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING A BUDGET FOR THE SELF-FUNDED HEALTH INSURANCE FUND FOR THE 2009-2010 FISCAL YEAR.

\*10C4. Consider an ordinance adopting the FY 2009-2010 Parks Improvement and Acquisition

Account Budget. (Second Reading) This item was considered under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING A BUDGET FOR THE PARKS IMPROVEMENT AND ACQUISITION ACCOUNT FOR THE 2009-2010 FISCAL YEAR

10C5. Consider an ordinance adopting amendment No. 2 to the FY 2008-2009 Operating

Budget. (First Reading)(Requires Two Readings)

Cheryl Delaney made the staff presentation and presented the details of the revision to the FY2008-2009 budget.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING AMENDMENT NO. 2 TO THE OPERATING BUDGET OF THE CITY OF ROUND ROCK, TEXAS FOR FISCAL YEAR 2008-2009.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Mayor Pro-tem Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Whitfield Mayor Pro-tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Moman

ACTION: The motion carried unanimously.

10D1. Consider an ordinance amending Chapter 9, Code of Ordinances, by adding section

9.408 regarding prohibiting right turns on red at the intersection of Via Sonoma Trail and Gattis School

Road. (Second Reading)

Tom Word made the staff presentation. He informed the Council that the school zone times for this area if from 7:00 am to 8:45am and then again from 2:30 pm to 4:30 pm.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 9, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, BY ADDING SECTION 9.408, REGARDING PROHIBITING RIGHT TURNS ON RED AT THE INTERSECTION OF VIA SONOMA TRAIL AND GATTIS SCHOOL ROAD AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve the ordinance as amended with the restriction only during school zone times. Councilmember Whitfield seconded the motion.

VOTE:      Ayes:            Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Salinas  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:           None  
                 Absent:        Councilmember Moman

ACTION: The motion carried unanimously.

RESOLUTIONS:

[11A1. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 2 with Klotz Associates, Inc for the Wyoming Springs Drive Widening Project.](#)

Tom Word, Chief of Public Works made the staff presentation.

MOTION: Mayor Pro-tem Clifford moved to approve the resolution. Councilmember White seconded the motion.

VOTE:      Ayes:            Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Salinas  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:           None  
                 Absent:        Councilmember Moman

ACTION: The motion carried unanimously.

[11B1. Consider a resolution authorizing the Mayor to execute an Addendum to the Master Program License Agreement #980301 with High Line Corporation.](#)

Teresa Bledsoe, Human Resources Director made the staff presentation.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Whitfield seconded the motion.

VOTE:      Ayes:            Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Salinas

Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw  
Nays: None  
Absent: Councilmember Moman

ACTION: The motion carried unanimously.

\*11C1. Consider a resolution authorizing the Mayor to execute a Grant Award to accept funds of \$13,336.00 from the Department of Justice Programs under the FY09 Local Allocation Edward Byrne Memorial Justice Assistance Grant Program. This item was approved under the consent agenda.

\*11D1. Consider a resolution authorizing a property tax refund to Ahmadiayya Movement in Islam, Inc. for 2007 taxes in the amount of \$516.72. This item was approved under the consent agenda.

\*11D2. Consider a resolution authorizing a property tax refund to Lowe's Home Centers, Inc. for 2007 taxes in the amount of \$7,418.13. This item was approved under the consent agenda.

[11D3. Consider a resolution executing the Economic Development Program Administration Funding Agreement with the Round Rock Chamber of Commerce.](#)

Cheryl Delaney, Finance Director made the staff presentation.

MOTION: Councilmember Whitfield moved to approve the resolution. Mayor Pro-tem Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Councilmember White  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw  
Nays: None  
Absent: Councilmember Salinas  
Councilmember Moman

ACTION: The motion carried unanimously.

[11E1. Consider a resolution approving the proposed BCRUA Administrative Operating Budget for the Fiscal Year 2009-2010, subject to the approval of the Participating Cities.](#)

Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember White moved to approve the resolution. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Councilmember White  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw  
Nays: None  
Absent: Councilmember Salinas  
Councilmember Moman

ACTION: The motion carried unanimously.



[11E2. Consider a resolution authorizing the Mayor to execute a Memorandum of Agreement with Cedar Park and Leander regarding Ancillary Consulting Services with Environmental & Planning Associates, Inc. for the BCRUA.](#)

Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember White seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Whitfield Mayor Pro-tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Moman

ACTION: The motion carried unanimously.

[11E3. Consider a resolution authorizing the Mayor to execute a Construction Contract with Excel Construction, LLC for the Water Treatment Plant General Rehabilitation Project.](#)

Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember Salinas moved to approve the resolution. Mayor Pro-tem Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Whitfield Mayor Pro-tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Moman

ACTION: The motion carried unanimously.

[11E4. Consider a resolution authorizing the Mayor to execute a Wastewater Service Agreement with Brushy Creek Municipal Utility District.](#)

Michael Thane, Utilities Director introduced the item and then turned the presentation over to Steve Sheets who discussed the details of the agreement.

MOTION: Councilmember Honeycutt moved to approve the resolution. Mayor Pro-tem Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Whitfield Mayor Pro-tem Clifford
--------------	-------	--

Mayor McGraw  
Nays: None  
Absent: Councilmember Moman

ACTION: The motion carried unanimously.

11E5. Consider a resolution authorizing the Mayor to execute a Wastewater Service

Agreement with Fern Bluff Municipal Utility District.

Steve Sheets, City Attorney made the staff presentation with the previous item.

MOTION: Mayor Pro-tem Clifford moved to approve the resolution. Councilmember Salinas

seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Councilmember White  
Councilmember Salinas  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw  
Nays: None  
Absent: Councilmember Moman

ACTION: The motion carried unanimously.

COUNCIL COMMENTS REGARDING ITEMS OF COMMUNITY INTEREST

EXECUTIVE SESSION:

13A. Consider Executive Session as authorized by §551.072, Government Code, related to the purchase of real property from Williamson-Burnet County Opportunities, Inc. for two tracts of land needed for the Intermodal Transit and Parking Facility Project.

The City Council recessed into Executive Session. Mayor McGraw called the Executive Session to order at 9:30 p.m. and adjourned it at 9:50 p.m.

11A2. Consider a resolution authorizing the Mayor to execute a Real Estate Contract with Williamson Burnet County Opportunities, Inc. for the purchase of two tracts of land needed for the Intermodal Transit and Parking Facility Project.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Whitfield seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Councilmember White  
Councilmember Whitfield  
Mayor McGraw  
Nays: Councilmember Salinas  
Mayor Pro-tem Clifford  
Absent: Councilmember Moman

ACTION: The motion carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:57 p.m.

Respectfully Submitted,

Sara L. White, City Secretary